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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/557,172	04/21/2000	Yasuhiko Terashita	SONY-T0474	6517

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ALEXANDRIA, VA 22314

EXAMINER

FLETCHER, JAMES A

ART UNIT	PAPER NUMBER
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2621

DATE MAILED: 06/26/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/557,172

Applicant(s)

TERASHITA ET AL.

Examiner

James A. Fletcher

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 06 June 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-12 and 16-25 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 16-25 is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***New Art Unit***

1. Please include the new Art Unit 2621 in the caption or heading of any written or facsimile communication submitted after this Office Action because the examiner, who was assigned to Art Unit 2616, will be assigned to new Art Unit 2621. Your cooperation in this matter will assist in the timely processing of the submission and is appreciated by the Office.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1-12 are rejected under 35 U.S.C. 102(b) as being anticipated by Aotake (6,411,771).

**Regarding claims 1 and 5-8**, Aotake discloses an information processing apparatus, method, and program comprising:

- first recording and reproducing means, method, and program for recording one moving picture in at least one recording increment (Col 8, lines 23-26  
“The personal computer is also provided with application programs as a standard for carrying out editing, recording, reproduction as well as MPEG

decoding of pictures and other picture processing” and lines 31-33 “a television broadcast program received by the TV tuner 213A can also be recorded with ease”);

- second recording and reproducing means, method, and program for recording a still picture corresponding to a predetermined one of the recording increments of the moving picture (Col 18, lines 8-10 “the slip recorder, the clip editor and the clip viewer relate to recording, reproduction and editing of a picture in particular”); and
- third recording and reproducing means, method, and program for recording information about the moving picture being recorded by the first recording means (Col 22, lines 41-44 “the scene change detecting circuit 131 also generates index data to be described later. The index data is supplied to the microprocessor 201 to be stored in a generated index file also to be described later”) and;
- a user interface configured to receive a user instruction to modify said moving picture recorded in at least one recording increment recorded in said first recording means (Fig. 21 displays an editing screen for the purpose of modifying recorded moving pictures).

**Regarding claim 2,** Aotake discloses an information processing apparatus wherein the second recording means records a still picture corresponding to a scene switchover of the moving picture (Col 22, lines 41-44 “the scene change detecting circuit 131 also generates index data to be described later. The index data is supplied to the

microprocessor 201 to be stored in a generated index file also to be described later” and Col 20, lines 17-20 “When the compression technique selecting circuit 132 is informed of a scene change, the I picture is selected as a picture type of a picture following the scene change”).

**Regarding claim 3**, Aotake discloses an information processing apparatus wherein the first recording means uses a file as the recording increment (Col 26, lines 2-7 “a large field required for recording an MPEG system stream...and a large file required for recording information such as indexes...are generated”).

**Regarding claim 4**, Aotake discloses an information processing apparatus wherein the first recording means records the one moving picture to at least one storage medium (Col 8, lines 31-33 “a television broadcast program received by the TV tuner 213A can also be recorded with ease”).

**Regarding claims 9-12**, Aotake discloses an information managing method and program comprising:

- recording and reproducing firstly a still picture corresponding to a moving picture in at least one recording increment (Col 20, lines 17-20 “When the compression technique selecting circuit 132 is informed of a scene change, the I picture is selected as a picture type of a picture following the scene change”); and
- recording and reproducing secondly information about the still picture being recorded in the first recording step (Col 22, lines 41-44 “the scene change detecting circuit 131 also generates index data to be described later. The

index data is supplied to the microprocessor 201 to be stored in a generated index file also to be described later”)

- receiving, at a user interface, a user instruction to modify said moving picture recorded in at least one recording increment (Fig. 21 displays an editing screen for the purpose of modifying recorded moving pictures),
- wherein the still pictures are used as icons in a system configured to navigate the moving picture (Fig. 21 displays an Index Screen displaying still pictures as icons to navigate the moving pictures).

#### ***Allowable Subject Matter***

4. Claims 16-25 are allowed.


Any inquiry concerning this communication or earlier communications from the examiner should be directed to James A. Fletcher whose telephone number is (571) 272-7377. The examiner can normally be reached on 7:45-5:45 M-Th, first Fridays off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James Groody can be reached on (571) 272-7950. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2621

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

JAF  
16 June 2006

  
**James J. Groody**  
**Supervisory Patent Examiner**  
**Art Unit 262-2621**